

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested

Claims 1-3 and 5-6 have been amended. Claim 4 has been cancelled. Claims 1-3 and 5-6 are pending and under consideration.

I. Claim Objections

In the Office Action, at page 2, claims 2 and 6 were objected to due to informalities. Claims 2 and 6 have been amended in response to these objections. Accordingly, withdrawal of these objections is respectfully requested.

II. Rejections under 35 U.S.C. § 103

In the Office Action, at pages 2-5, claims 1 and 3-6 were rejected under 35 USC § 103(a) as being unpatentable over Bloomberg (U.S. Patent No. 5,467,410) in view of Nishii (U.S. Patent No. 6,501,556).

Bloomberg and Nishii, alone or in combination, do not discuss or suggest:

the determining unit determines that an extracted fragment image is a character image and the image primary drawn when the extracted fragment image has a size of a character, and

the size is within a predetermined range of height and width and depends on a read resolution and a font size,

as recited in amended independent claim 1. In other words, the invention of claim 1 provides that when an extracted fragment image has the size of a character, which is within a predetermined range in width and height and depends on a read resolution and a font size, the extracted fragment image is determined to be a character image and the primary image drawn. As such, if there is an image that is a large stain or dust particle, it is not determined that the image is a character and the page is determined to be a blank. Bloomberg merely discloses that a page is considered blank when none of the connected component collected exceeds one or more thresholds. Bloomberg does not disclose determining whether an extracted image has a size that is within a predetermined range in width and height and depends on a read resolution and a font size. As such, if there is an image that is a large stain or dust particle, the image is determined as a character and the page is not determined to be a blank. Furthermore, Nishii fails to make up for this deficiency in Bloomberg.

Since none of the cited prior art, alone or in combination, discusses or suggests all of the features of independent claim 1, claim 1 patentably distinguishes over the cited prior art. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 3 and 5-6 depend either directly or indirectly from independent claim 1, and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 3 and 5-6 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Claim 4 has been cancelled. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In the Office Action, at pages 5-6, claim 2 was rejected under 35 USC § 103(a) as being unpatentable over Bloomberg and Nishii in view of Benyoub et al. (U.S. Patent No. 7,057,595).

As discussed above, the combination of Bloomberg and Nishii does not discuss or suggest all of the features of independent claim 1, such that claim 1 patentably distinguishes over Bloomberg and Nishii. Benyoub et al. fails to make up for the deficiency in Bloomberg and Nishii with respect to claim 1, such that claim 1 patentably distinguishes over Bloomberg, Nishii, and Benyoub et al.

Claim 2 depends directly from claim 1, and includes all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claim 2 patentably distinguishes over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


Serial No. 10/509,742

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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